

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:16-CV-550

CHRIS HERR and LISA SOLER,

Plaintiffs,

v.

ORANGE BAKERY, INC., RHEON  
AUTOMATIC MACHINERY, CO.,

Defendants.

**ORDER TO REMAND**

**THIS MATTER** is before the Court on Plaintiffs' Motion to Remand (Doc.No. 12) the above-captioned case back to Mecklenburg County, North Carolina, case number 16-CVS-9147, and for attorney's fees. Also before the Court is Defendants' Motion to Dismiss (Doc. No. 15), Motion for Temporary Restraining Order (Doc. No. 17), and Opposition to Remand (Doc. No. 24). Having considered the filings and the court file, the Court enters the following Order.

**IT IS, HEREBY ORDERED** that, for the reasons set forth in Plaintiff's motion and after consideration of Defendants' opposition (Doc. No. 24), the above-captioned case is remanded to Mecklenburg County, North Carolina, case number 16-CVS-9147, pursuant to 28 U.S.C. 1447(c).

Plaintiff's motion for attorney's fees (Doc. No. 12) is **DENIED**. Defendants' Motion to Dismiss (Doc. No. 15), and Motion for Temporary Restraining Order (Doc. No. 17) are **DENIED AS MOOT**.

The Clerk of Court is hereby ordered to close the case and transfer the case file to the Mecklenburg County Clerk of Court.

Signed: September 2, 2016



Frank D. Whitney  
Chief United States District Judge

